

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Crime Investigation Department – Withdrawal of prosecution against Sri B.Janardhan, Ex-Director, Vasavi Cooperative Urban Bank Ltd., in Cr.No.8/2003, under sections 120-B, 420, 406, 409, 477-A and Section 5 of A.P.Protection of Depositors of Financial Establishments Act, 1999 of CID P.S., pending before Hon'ble First<sup>st</sup> Metropolitan Sessions Judge, Hyderabad vide C.C.No.4/2003 – Orders – Issued.

LAW (L.A. & J – HOME – COURTS-B) DEPARTMENT

G.O.Rt.No. 742

Dated:18.05.2009

Read the following:

1. From the Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad, Lr.Rc.No.26802/2008-UT-3, Dated:17.02.2009.
2. Govt. Memo.No.5531/Courts-B2/2009-1, Dated:25.02.2009.
3. Representation of Sri B.Janardhan, Ex-Director, Vasavi Cooperative Urban Bank Ltd., Hyderabad, Dated: Nil.
4. From the Addl.Director General of Police, C.I.D., A.P., Hyderabad, Lr.C.No.4317/C27/CID/2003, Dated:09.04.2009 addressed to the Director General of Police, A.P., Hyderabad and copy marked to Secretary, Home (Courts-B) Dept.,

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ORDER:

Sri B.Janardhan (A10), Ex-Director, Vasavi Cooperative Urban Bank Ltd., in his representation third read above, has stated that he was elected as Director of Vasavi Cooperative Urban Bank Ltd., Hyderabad during the year 1996 and continued as Director of the said Bank, till the Elections which were held in the year 2002. During his tenure as Director, he took loans for development of his business. Subsequently, in the year 2003, 2004 and 2008, the loans were repaid. The CEO of the said Bank preferred a complaint against him, and was registered in Cr.No.8/03, u/s.120-B, 420,406,409, 477-A of the IPC and section 5 of the A.P.Protection of Depositors of Financial Establishments Act, 1999 of Crime Investigation Department Police Station, Hyderabad. Accordingly, chargesheet was filed before the Hon'ble Court, the same is pending before Hon'ble First Metropolitan Sessions Judge, Hyderabad vide C.C.No.4/2003. Further, the individual informed that the Managing Director of the said Bank has informed that since the entire loan amount was repaid, there is no direct or indirect liability to the Bank. The Managing Director, Vasavai Cooperative Urban Bank Ltd., has requested to take a suitable decision in respect of withdrawal of prosecution pending against the individual.

2. The individual has, further requested to kindly withdraw the case in Cr.No.8/03, under sections 120-B, 420, 406, 409, 477-A of the IPC and section 5 of the A.P.Protection of Depositors of Financial Establishments Act, 1999.

3. The Addl.Director General of Police, Crime Investigation Department, A.P., Hyderabad in his letter fourth read above, while enclosing the opinion of Special Public Prosecutor, and for the reasons mentioned therein has not recommended for withdrawal of prosecution against Sri B.Janardhan (A10), in Cr.No.8/2003 and further informed that the accused was elected as Director of the said Bank, in the elections held during the year 1996 and continued till the Elections held on 17.03.2002. During his tenure, he recommended several loans and availed several benefits from the Bank.

4. The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P., Hyderabad in his letter first read above, for the reasons explained therein stated that Sri B.Janardhan (A10) has no direct or indirect liability towards Vasavi Cooperative Urban Bank Ltd., Hyderabad.

5. Government after careful examination of the matter, based on the material made available, have decided to withdraw prosecution against the accused Sri B.Janardhan (A10), Ex-Director, Vasavi Cooperative Urban Bank Ltd., Hyderabad in Cr.No.8/2003, under sections 120-B, 420, 406,409, 477-A of the Indian Penal Code, 1860 and section 5 of the A.P.Protection of Depositors of Financial Establishments Act, 1999 of Crime Investigation Department Police Station, Hyderabad which is pending before the Hon'ble First Metropolitan Sessions Judge Court, Hyderabad vide

C.C.No.4/2003 as there is no direct or indirect liability to the Bank, since he has repaid the loan availed during his tenure as Director, Vasavi Cooperative Urban Ltd., Hyderabad.

6. The Collector & District Magistrate, Hyderabad District is therefore directed to see that the Assistant Public Prosecutor concerned apply his mind and take appropriate steps to file a petition under section 321 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) for withdrawal of prosecution against Sri B.Janardhan (A10), Ex-Director of Vasavi Cooperative Urban Bank Ltd., Hyderabad in Cr.No.8/2003, under sections 120-B, 420, 406, 409, 477-A of the Indian Penal Code, 1860 and section 5 of the A.P. Protection of Depositors of Financial Establishments Act, 1999 of Crime Investigation Department Police Station, Hyderabad which is pending before the Hon'ble First Metropolitan Sessions Judge Court, Hyderabad vide C.C.No.4/2003, under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.RAMACHANDRA REDDY,  
SECRETARY TO GOVERNMENT  
LEGISLATIVE AFFAIRS & JUSTICE

To  
The Collector & District Magistrate, Hyderabad  
The Director General of Police, A.P., Hyderabad,  
The Addl. Director General of Police, CID, A.P., Hyderabad.  
The Asst. Public Prosecutor concerned (thru' Collector concerned)  
Copy to  
The Law (E) Dept.,  
The P.S. to Secretary (L.A. & J) Dept.,  
Sf/Sc.

// forwarded :: by order //

Section Officer